

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Meeting of August 29, 2012

Members Present: Paul Anderson, Tom Davis, Jim Barton, Peter Pippin and Chuck Riggott (Alternate)

Members Absent: Dave Tyler

Others Present: WPCF Superintendent E. Arthur Enderle III, Chief Operator Edward Alibozek, WPCA Attorney Vincent Purnhagen, First Selectwoman Denise Menard, Town Treasurer Catherine Cabral, Selectman Richard Pippin, Board of Finance Member Kathy Pippin, WPCF employees: Konrad Karolczuk, Steve Bednarz Jr, Marc Brennan, Jon Ference and Recording Secretary Laura Michael

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the Town Hall Annex, 25 School St, East Windsor, CT

I. Designate Alternate

Mr. Riggott served as a voting member for Mr. Tyler.

II. Added Agenda Items

Collection of Delinquent User Fees

III. Acceptance of Minutes of July 25, 2012

Motion: To accept the minutes of the July 25, 2012.
Barton/Riggott
Motion carried

IV. Financing and Charges for Wastewater Systems

Presentation by Paul Dombrowski, P.E., BCEE, Vice President of Woodard and Curran

Mr. Enderle introduced Mr. Dombrowski stating that they have worked together for 20 years and they are members of professional organizations. Mr. Dombrowski has written 6 WEF manuals of practice. He offered to come and speak of commonly accepted practices. Mr. Dombrowski explained that he is an engineer, not an attorney; he is giving his opinion as an engineer. He explained there are statutory requirements, Federal and State, for the operation of wastewater systems. The State of CT statutes governing WPCA's can be found in CGS Chapter 103. The CT DEEP has two guidance documents; The Cost of Clean Water, for sewer user charges and Methods of Capital Cost Recovery, for benefit assessments and facility connection charges. The State of CT Statutes require that there is a plan in place and that it is updated on some basis, the municipality acquire, construct and operate a sewerage system, take property as necessary for sewerage system, establish rules and regulations, establish a charge for connection and use, and isolate funds from the Town government. Plants that don't have separate funds have problems maintaining their facility. The WPCA needs to handle their own funds and work with the Town for bonding. To operate a sewerage system, you need to own, use, equip, re-equip and maintain. The EPA, Clean Water Act, requires that a user charge be established that is proportionate to the costs operations, maintenance and replacement. Mr. Dombrowski went over the EWWPCA FY2013 budget explaining that 91% of the budget goes toward personnel, utilities, chemicals and sludge removal; 7% toward maintenance and 3% toward legal, engineering, miscellaneous. There is no major equipment replacement in the budget. A capital improvements plan is needed. There is a need to identify repairs and replacements and how to pay for them. The EWWPCA is not budgeting for the future; there is a need to raise funds. They are in better shape than a lot of facilities but they need to save for repairs. Mr. Dombrowski spoke of notice of violations and consent orders.

Attorney Purnhagen arrived at 7:21 p.m.

Motion: To suspend the regular meeting for the purpose of holding the scheduled public hearing.
Barton/Riggott
Passed unanimously

V. Public Hearing Scheduled at 7:30 p.m.

Motion: To open the public hearing Alaimo, 156 North Rd.
Barton/Riggott
Passed unanimously

There was no one present for Alaimo, 156 North Rd. Mr. Enderle explained that this is a three family residential property and one half of the FCC has been paid.

Motion: To close the public hearing Alaimo, 156 North Rd.
Riggott/Davis
Passed unanimously

Motion: To resume the regular meeting.
Barton/Riggott
Passed unanimously

Presentation by Paul Dombrowski, P.E., BCEE, Vice President of Woodard and Curran - continued

Mr. Anderson questioned if they had a twenty year plan, would they revisit it in 5 years to monitor it. Mr. Dombrowski suggested identifying projects for 18-19 years out. The WPCA needs to have a Capital Improvements Plan. Mr. Enderle explained that the State Statutes require that the WPCA identifies on its bill the portion of the charge that is going toward CIP. Mr. Davis asked who is responsible to decide on the future, who is the person deciding on a plan. Mr. Dombrowski replied that the Superintendent would develop a plan; a professional engineer would create a document. Mr. Davis asked if there would be flexibility within that plan. Mr. Dombrowski explained there is flexibility but the list remains. Mr. Enderle explained that it is a living document; priorities could change. It is a guidance document. Mr. Davis asked if it would be unrealistic to make changes. Mr. Dombrowski explained that the plan has forgiveness; emergencies allow for adjustment on the fly. Mr. Dombrowski explained that there are many programs available for funding. Mr. Davis stated that the equipment isn't going to last forever; they need to get a plan in place. Mr. Anderson explained that they need to adopt a plan as an authority. Mr. Dombrowski explained that they would need to hold working sessions, modifying the plan and when finished they will have a workable document. It would then be submitted to the State to be sure they are in agreement with the WPCA. Mr. Dombrowski's opinion is that the WPCA needs to raise money from their user rates; using money from the Town tax base is not an adequate approach. Mr. Enderle explained that each month he signs off on the DMR/OMR. He views this as telling that the facility is adequately funded through its budget. They are funding there O&M but not the replacement. If there is a notice of violation, they are coming after the Superintendent. Mr. Dombrowski explained that the Superintendent is first in line, then the Board Members and the 1st Selectman. Mr. Enderle has an obligation to say they are not adequately funding and planning for repairs and replacement. Attorney Purnhagen explained that the State Statutes apply and the onus is on the Superintendent and the WPCA. The WPCA is an autonomous authority. Mr. Anderson thanked Mr. Dombrowski for his presentation.

VI. Communications

Mr. Anderson reported that he had received a letter from Martha Paluch explaining that she was resigning as an alternate effective immediately. She has bought a house in Bloomfield and will no longer be an East Windsor resident. The WPCA accepts Ms. Paluch's resignation with regret.

VII. Visitors

There were no visitors.

VIII. Public Participation

There was no public participation.

IX. Receipt of Applications

There were no applications to be received.

X. Approval of Applications

There were no applications to be approved.

XI. Legal

Attorney Purnhagen reported that he is working on the easements for the two condo projects.

Collection of Delinquent Sewer User Charges

Mr. Barton explained that he has three outstanding warrants that have not been updated in a long time; no one wants to sign the warrants and no new ones have been issued. The Board needs to appoint a collector and decide how to collect the delinquent charges. The Board needs to take a position. Attorney Purnhagen explained that it would be appropriate for the Chairman to sign the warrants. Mr. Barton feels that the Board needs to authorize when warrants are issued or recalled. Attorney Purnhagen explained that they need to have a plan in place. Mr. Enderle has is concerned with himself or his staff signing the warrants. Mr. Anderson stated the Board needs to set a procedure. Mr. Barton stated that the statutory authority lies with the collector. At this time, there is no collector. Mr. Anderson explained that someone will have to be collector; they need to look at what other WPCA's are doing. Mr. Enderle explained that they need to set policy guidelines and they need job descriptions. There was a lengthy discussion regarding the signing of the warrants. Until a policy is set, no new warrants will be issued.

Motion: To designate the Office Manager as temporary Collector of Revenue.
Davis/Pippin
Passed unanimously

XII. Action on Facility Connection Charges

Motion: To impose the Facility Connection Charge as published for Alaimo, 156 North Rd.
Barton/Pippin
Passed unanimously

XIII. Unfinished Business

Roof Repairs

Mr. Alibozek explained that he met with Tim Mulcahey in to look at the mezzanine roof and a heating expert. The roof repair will be \$48,000 and the heating system is \$88,000. They may be able to get a \$20,000 rebate from the gas company. Mr. Anderson asked about the life expectancy of the equipment they are replacing. Mr. Alibozek said it isn't much better than what they have currently. It is a corrosive environment; there is a 15 – 20 year life expectancy. Mr. Enderle explained that they have an alternative of Marc Brennan doing the work. He has submitted quotes for materials only; Mr. Enderle has asked that he verify the quotes. The man hours are 2 guys for 7 days. It would be a radiant heat system; Town Building Inspector Rand Stanley doesn't have an issue with this. The radiant heat would be off the roof in a spare room. This is a possibility not an option yet. Mr. Riggott suggested asking the Fire Marshal. Mr. Enderle explained that they need to figure out how to pay for it. Marc Brennan's system will probably cut the utility bill in half. It was explained that the mezzanine roof is the highest priority; they have three more roofs to do after that. Mr. Anderson explained that they can't keep using FCC money. They will have hard numbers for the next meeting.

Long Term Funding

This was discussed earlier in the meeting.

Benefit Assessment Policy

There is no progress yet.

FCC Regulation Review & Interpretation

Mr. Enderle explained that section 2.1 of the FCC Regulations Amended and Restated defines new connections. Mr. Enderle explained that he has the Assessor's Property Cards for 2 Winton Rd and 227 South

Main St. The card for 2 Winton Rd shows that it was connected as a three family house. A new two family house has been built and the owner has paid for half of two FCC's or 1 FCC in full. The FCC for this property should be refunded; the connection doesn't go away. Attorney Purnhagen explained that they have the backup and they need to apply the Regs using the facts. Mr. Anderson feels the grandfathered concept applies to this property. Mr. Enderle explained it was connected to the old sewer connection; they used the existing connection. Attorney Purnhagen explained they didn't change the use. Mr. Barton feels the grandfathering is for the original owner. Attorney Purnhagen stated that the connection goes with the property. Attorney Purnhagen explained that based on the data, there should not be an FCC; they will have to hold a public hearing to rescind the charge and refund the FCC paid. It was explained that 227 South Main St should be grandfathered also unless there is a change of use.

North Road Sewer Extension Phase II

Mr. Enderle explained that quite a few of the properties in Phase II have wells. A survey was sent to homeowner's asking them to sketch their well location. There is a concern of draining the wells based on the borings. It will go out to bid this season but construction won't start until spring.

Meadow Farms/Hillside Farms

The paper work was just received.

Pump Station Issues

Mr. Enderle explained that they have a ship date of September for the two pumps for Scantic Rd and Mill St. Mr. Enderle issued a work order to Russo's for the South Main St (Route 5) pump station to get an easement from DOT.

Three Year Review

This will be ready for review in September.

XIV. New Business

Transfers

Motion: Transfer \$15,771.00 from Fund 10 (FCC Fund) to 2011-12 DEP Pump Station Repair (1-11-30-0210-7-799-0925-0).
Davis/Riggott
Passed unanimously

Motion: Transfer \$3,225.78 from Perri Lane STIF Account (2-11-30-0210-9-920-000-9) to 2011-12 Pump Station Maintenance (1-11-30-0210-4-438).
Davis/Riggott
Passed unanimously

Motion: Transfer \$32,380.75 from Fund 10 (FCC Fund) to 2012-13 DEEP WPCF Major Equipment (1-11-30-0210-7-799-0924-0).
Davis/Riggott
Passed unanimously

Motion: Transfer \$27,321.26 from Fund 10 (FCC Fund) to 2012-13 DEEP Pump Station Repair (1-11-30-0210-7-799-0925-0).
Davis/Riggott
Passed unanimously

Motion: Transfer \$27,321.26 from Fund 10 (FCC Fund) to 2012-13 DEEP Sewer Line Repair (1-11-30-0210-7-799-0926-0).
Davis/Riggott
Passed unanimously

Motion: Transfer \$14,166.58 from Fund 10 (FCC Fund) to 2012-13 DEEP Sewer Line Video (1-11-30-0210-7-799-0927-0).
Davis/Pippin
Passed unanimously

Superintendent's Report

Mr. Enderle when over his report highlighting that Jon Ference has passed the Massachusetts Grade III Operator's Exam in preparation for the CT Grade II Operator's Exam. All of the WPCF employees have successfully completed the First Aid/CPR/AED Course. They are moving forward with the Energy Advantage Program. Mr. Enderle, Mr. Alibozek, Mr. Anderson and Ms. Whitten, Town Planner, attended a meeting concerning East Windsor's Sewer Service Map at CT DEEP with Dennis Greci.

XV. Payment of Bills

Motion: To approve the July 26, 2012 bill sheet for FY2011-12 in the amount of \$13,310.89
Barton/Pippin
Passed unanimously

Motion: To approve the August 2012 bill sheet for FY2011-12 in the amount of \$101,835.29.
Barton/Pippin
Passed unanimously

Motion: To approve the August Bill Sheet for 2012-13 in the amount of \$43,368.04 with the addition of the Hydrotec invoice in the amount of \$10,804.
Riggott/Davis
Passed unanimously

XVI. Adjournment

Motion: To adjourn the meeting at 9:40 p.m.
Barton/Riggott

Respectfully submitted,

Laura Michael
Recording Secretary